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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First named inventor: Takeshi Aikiyo

Our File No: FP 672 US(CIP)/PCT

Serial No.: 09/884,147

Group Art Unit: 2828

Filed: June 20, 2001

Examiner: Jackson, Cornelius H.

Title: Semiconductor Laser Module, and Method for Driving the Semiconductor
Laser Module

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JUL 21 2004

OFFICE OF PETITIONS

July 16, 2004

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Petition To Accept An Unintentionally Delayed Claim
Under 37 CFR 1.78(a)

Sir:

Applicant hereby petitions to accept an unintentionally delayed benefit claim for United States Application No. 09/884,147 filed June 20, 2001, which is a Continuation-In-Part of International Application No. PCT/JP00/03147 filed May 17, 2000, which is a Continuation-In-Part of United States Application No. 09/443,322 filed November 19, 1999, now United States Patent No. 6,385,221.

Applicant respectfully requests amendment of the instant application, in order to amend paragraph [0001], as follows:

[0001] This application is a continuation-in-part of PCT international application International Application No. PCT/JP00/03147 filed May 17, 2000, which is a continuation-in-part of which claims priority from Japanese Application No. 11-310992 filed November 1, 1999; and further claims priority from United States Application No.

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09/443,322 filed November 19, 1999, now United States Patent No. 6,385,221; ~~Japanese Application No. 2000-187976 filed June 22, 2000; and Japanese Application No. 2000-187977 filed June 22, 2000.~~

Attached to this Petition is an Application Data Sheet, which confirms the priorities for the instant application.

Applicant states that the delay between the date the claim was due and the present date on which the claim is filed, is purely unintentional.

Applicant further states:

- (A) All requirements set forth in 37 CFR 1.78(a)(1) have been met in United States Patent Application Ser. No. 09/884,147.
- (B) The first line of United States Patent Application Ser. No. 09/884,147 contains a proper reference including a specific relationship to copending International Application No. PCT/JP00/03147. The first line of United States Patent Application Ser. No. 09/884,147 contains a reference to United States Application No. 09/443,322, now United States Patent No. 6,385,221, but fails to include a specific relationship between United States Application No. 09/443,322 and either one of United States Patent Application Ser. No. 09/884,147 and International Application No. PCT/JP00/03147. Clearly, Applicant intended to claim the benefit of the earlier filing date of United States Patent Application Ser. No. 09/884,147, but merely failed to provide the specific relationship to the earlier application.
- (C) The record of United States Patent Application Ser. No. 09/884,147 and of the parent applications clearly shows that the priority being petitioned is appropriate. In particular, the data that is listed adjacent to INID Code 63 on the cover page of the published International Application No. PCT/JP00/03147 (WO 01/33680 A1) includes an indication that the application is a continuation-in-part of US

09/443,322, filed on 19.11.1999. This data complies fully with the PCT rules, and provides a specific relationship between the intermediate application (PCT/JP00/03147) and the first filed US application (09/443,322). Furthermore, PCT/JP00/03147 and US 09/443,322 were co-pending applications.

Please charge the fee of \$1,330.00 as prescribed in 37 CFR 1.17(t) to Deposit Account No. 50-1142.

Please charge any additional fees required or credit any overpayment to Deposit Account No: 50-1142.

Respectfully,



Randy W. Lacasse, Reg. No. 34,368

7/16/04
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